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IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI

RONALD HENRY)
Plaintiff,))
v.))
J&M SECURITIES, LLC))
and) Cause No. 4:15-CV-01078ERW)
SANSONE LAW, LLC, doing business as SANSONE & LAUBER)))
Defendants.)) JURY TRIAL DEMANDED

MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT

COMES NOW, Plaintiff, and for his Motion for Leave to File his First Amended Complaint states as follows:

- 1. This is an action for statutory damages brought by an individual consumer for violations of the Fair Debt Collections Practices Act, (15 USC 1692 *et. seq*) ("FDCPA") which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.
- 2. Plaintiff respectfully requests leave to add amended facts concerning this cause of action that Plaintiff believes will moot Defendant's Motion to Dismiss.
- 3. This matter is in the earliest stages of litigation; Defendant has filed a Motion to Dismiss, and the Court has yet to hold a Rule 16 conference. The parties have not yet begun discovery or motion practice. Accordingly, the leave Plaintiff requests prejudices no party.
- 4. Further, Plaintiff's First Amended Complaint abandons the 1692g claim (a central issue of Defendants' Motion to Dismiss) and adds a 1692e(2)a claim against Defendant J&M.

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5. Plaintiff's First Amended Complaint moots Defendants' current Motion to

Dismiss.

WHEREFORE, Plaintiff respectfully requests that this Court accept the attached

Amended Complaint (Exhibit 1) for immediate filing.

RESPECTFULLY SUBMITTED:

/s/ James W. Eason

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CERTIFICATE OF SERVICE

The undersigned attests that, on October 7, 2015, the foregoing document was served via operation of the Court's electronic filing system on the following counsel of

record:

Matthew Aplington: maplington@lowenbaumlaw.com

Julia Hodges: jhodges@lowenbaumlaw.com

Benjamin Sansone: ben@sansonelaw.com

/s/ James W. Eason

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